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15 Attorneys for Defendants

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA

19 A.R., a minor, by and through her
guardian ad litem, LAINI SELKET, and
20 LAINI SELKET,

No. C-06-07077-MJJ

21 Plaintiffs,
vs.
22 CITY OF EMERYVILLE, a governmental entity;
23 KEN JAMES, in his capacity as Chief of Police for
CITY OF EMERYVILLE; ERIC WHITE, individually,
and in his capacity as a police officer for CITY OF
24 EMERYVILLE; RICHARD DAVIS, individually,
and in his capacity as a police officer for CITY OF
EMERYVILLE; and, DOES 1-25, inclusive,

25

STIPULATION AND ~~PROPOSED~~ ORDER
FOR EXTENSION OF TIME TO
COMPLETE MEDIATION

26 Defendants. /
27
28

STIPULATION

All parties to this action stipulate and agree, by and through their respective counsel, as follows:

1. Counsel for plaintiffs and defendants have discussed with the Mediator, Ms. Jacqueline Scott Corley, their need for further time to conduct discovery, and Ms. Corley agrees with the extension of time deadline proposed in the Stipulation. This extension of time for Mediation is needed so that all parties can engage in a productive Mediation hearing.

2. Prior to a meaningful Mediation, the parties need to conduct the following discovery: take the depositions of some of the parties; take the deposition of witness, Cheryl L. Nichols; receive important medical records and billings from Children's Hospital for minor plaintiff (which has been requested, but not yet received); and, the Juvenile Court transcript with the testimony from the Juvenile case which ensued pursuant to the subject incident, which was ordered on April 11, 2007, but has not yet been received (defense counsel have stated that there cannot be a meaningful Mediation without first reviewing the Juvenile Court transcript). After receiving the Juvenile Court transcript, plaintiffs' and defense counsel will need to review this material and decide whether any further discovery is necessitated by information contained in said transcript;

3. Mr. Burris is lead counsel and will attend the Mediation Conference. He and Ms. Libet have been swamped with work in a case with a lot of witnesses and discovery for the last five weeks, and during this month and July, will also have to conduct a great deal of discovery in several cases;

4. Mr. Burris will be on vacation from June 24th through July 7th 2007, and during the first week of August 2007; and,

5. Accordingly, the parties, by and through their respective counsel, hereby stipulate and jointly request that the deadline for the occurrence of the Mediation hearing in this case be extended from July 9, 2007 to September 7, 2007, or as soon thereafter as the Court deems appropriate.

LAW OFFICES OF GAYLA B. LIBET

Dated: 6-12-07

By: Gayla B. Libet
GAYLA B. LIBET, Esq.
Attorneys for Plaintiffs

LAW OFFICES OF JOHN L. BURRIS

Dated: 6-12-07

By: John L. Burrus
JOHN L. BURRIS, Esq.
Attorneys for Plaintiffs

LOW, BALL & LYNCH

Dated: June 12, 07

By: _____

Dale L. Allen
DALE L. ALLEN, JR., Esq.
Attorneys for Defendants

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 6/24/07

Martin J. Jenkins
HONORABLE MARTIN J. JENKINS
United States District Court Judge

STIPULATION AND PROPOSED ORDER FOR EXTENSION OF TIME TO COMPLETE MEDIATION